T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

| Date: | | | 07-Feb-08 | APPL. S. N: | | 09575172 | | |
|---------------------------------|---|------------------------------------|---|--|------------------------------|--|--|--|
| To Exami | iner: | | ABDULSELAM, ABBAS | Art Unit | | 2629 | | |
| From | | | Jefferson, Henry PARALEGAL SPCECIALIST | Return This Memo To Drop-Off Location | : Case | JEF-2D68 | | |
| SUBJECT | Ր։ Decisio | on on Terminal | Disclaimer(T.D.) filed: | | | | | |
| form para or have a | agraphs i iny quest | dentified by th ions, please se | is informal memo in your e me or the Special Progr | next Office action to notify ap am Examiner. THIS IS AN INI | plicant of the FORMAL, IN | | | |
| olease in | itial, date | and return th | s memo to me. THANK YO | DU. | | | | |
| <u> </u> | The T.D. is PROPER and has been recorded (see 14.23). | | | | | | | |
| | The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24): | | | | | | | |
| | The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account | | | | | | | |
| | The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01). | | | | | | | |
| | The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01). | | | | | | | |
| | The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termi portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02). | | | | | | | |
| | | The person w | ho signed the T.D.: | | | | | |
| | | is no | ot an attorney "of record" | (see 14.29 and 14.29.01). | | · | | |
| | | has | failed to state his/her capa | acity to sign for the business | entity (see | 14.28). | | |
| | | is no | ot recognized as an officer | of the assignee (see 14.29 & | possible 14 | 4.29.02). | | |
| nor is the ree (see 37 CFR 3 | | | and frame number specif 3.73(b) and 1140 O.G. 72) | title from the original invento fied as to where such evidenc b. NOTE: This documentary ev b. or in a separate paper of rec | e is recorde vidence or t | d in the Office he specifying of the reel and | | |
| | Γ | The T.D. is no | t signed (see 14.26 & 14. | 26.03). | | | | |
| | 冖 | | nber of the application (or ection is missing or incorre | the number of the patent) wect (see 14.32). | hich forms | the basis for the double | | |
| | Γ | | | r the number of the patent in 14.26, 14.27.02 or 14.26.05) | | reissue cases being | | |
| | | The period dis | sclaimed is incorrect or no | t specified (see 14.26, 14.27. | .02 or 14.26 | 5.03). | | |
| | | Other: | | | | | | |
| | Γ. | Suggestion to and do not ch | request refund (see 14.3 | 6). NOTE: If already authorize | ed, credit re | efund to deposit account | | |
| have ap | propriate | ely notified app | licant(s) of the status of t | he Terminal Disclaimer filed i | n this case. | | | |
| Ex.Initial: | s: | Date | :: | | | Log Date: | | |

| Application Number | | Application/Co | ntrol No. | Re | oplicant(s)/Patent usexamination | ınder | |
|----------------------------------|-----------|---|------------|------------|----------------------------------|----------|--|
| Document Code - DISQ | | | Internal D | <u></u> ОС | cument – DC | NOT MAIL | |
| | | | | | | | |
| TERMINAL DISCLAIMER | × | | | | ☐ DISAPPROVED | | |
| Date Filed : January 29, 2008 | | This patent is subject to a Terminal Disclaimer | | | | | |
| Approved/Disapproved by: | | | | | | | |
| Henry D. Jefferson | | | | | | | |

U.S. Patent and Trademark Office

PTC/SB/26 (09-04)
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| TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT | Docket Number (Optional) NPX008US | | | | |
|---|-------------------------------------|--|--|--|--|
| In re Application of: Kia Silverbrook,Paul Lapstun | | | | | |
| Application No.: 09/575172 | | | | | |
| Filed: 23 May 2000 | | | | | |
| For: Hand Drawing Capture Via Interface Surface | ! | | | | |
| The owner*. Silverbrook Research Pty Ltd of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal pant of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7170499 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. | | | | | |
| In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; | | | | | |
| is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; | | | | | |
| is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened b | by any terminal disclaimer. | | | | |
| Check either box 1 or 2 below, if appropriate. | | | | | |
| 1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. | | | | | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | |
| 2. The undersigned is an attorney or agent of record. Reg. No | | | | | |
| (0 | | | | | |
| Signature | January 29, 2008 Date | | | | |
| Oignature . | . Date | | | | |
| Kia Silverbrook Typed or printed name | | | | | |
| . Mana at British in the | | | | | |
| | +61-2-9818-6633 Telephone Number | | | | |
| Terminal disclaimer fee under 37 CFR 1.20(d) Included. | · | | | | |
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NPX008US

NPXU08US PTO/SB/96 (09-04)

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| STATEMENT UNDER 37 CFR 3.73(b) | | | | |
|---|--|--|--|--|
| Applicant/Patent Owner: Kia Silverbrook,Paul Lapstun | | | | |
| Application No./Patent No.: 09/575172 Filed/Issue Date: 23\May 2000 | | | | |
| Entitled: Hand Drawing Capture Via Interface Surface | | | | |
| Silverbrook Research Pty Ltd , a Private Proprietary Limited Company (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) | | | | |
| states that it is: 1. the assignee of the entire right, title, and interest; or | | | | |
| 2. an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is% | | | | |
| in the patent application/patent identified above by virtue of either: | | | | |
| A assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010823 , Frame 0013 , or for which a copy thereof is attached. | | | | |
| OR B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below: | | | | |
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| Additional documents in the chain of title are listed on a supplemental sheet. | | | | |
| Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08] | | | | |
| The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. | | | | |
| January 29, 2008 | | | | |
| Signature Date | | | | |
| Kia Silverbrook +61-2-9818-6633 | | | | |
| Printed or Typed Name Telephone Number | | | | |
| Managing Director Title | | | | |

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/26 (09-04)

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|---|---|--|--|--|--|
| In re Application of. Kia Silverbrook,Paul Lapatun | | | | | |
| Application No.: 09/575172 | | | | | |
| Filed: 23 May 2000 | | | | | |
| For: Hand Drawing Capture Via Interface Surface | | | | | |
| The owner. Silverbrook Research Pty Ltd , of 100 percent interest in except as provided below, the terminal part of the statutory term of any patent granted on the instant the expiration date of the full statutory term prior patent No. 7170499 as the term of said and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The granted on the instant application shall be enforceable only for and during such period that it and the agreement runs with any patent granted on the instant application and is binding upon the grantee, its | prior patent is defined in 35 U.S.C. 154 pwner hereby agrees that any patent so prior patent are commonly owned. This | | | | |
| in making the above disclaimer, the owner does not disclaim the terminal part of the term of any pater would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable: | It granted on the instant application that prior patent, "as the term of said prior | | | | |
| is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or | | | | | |
| is in any manner terminated prior to the expiration of its full statutory term as presently shortened | by any terminal disclaimer. | | | | |
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| For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. | | | | | |
| I hereby declare that all statements made herein of my own knowledge are true and that a belief are believed to be true; and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United statements may jeopardize the validity of the application or any patent issued thereon. | willful false statements and the like so | | | | |
| 2. The undersigned is an attorney or agent of record. Reg. No | | | | | |
| Lu SZ | | | | | |
| Signature | January 29, 2008 Date | | | | |
| | · | | | | |
| Kia Silverbrook Typed or printed name | | | | | |
| | | | | | |
| | +61-2-9818-6633 Telephone Number | | | | |
| Terminal disclaimer fee under 37 CFR 1.20(d) included. | | | | | |
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NPX008US

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| STATEMENT UNDER 37 CFR 3.73(b) | | | | | |
|--|---|--|--|--|--|
| Applicant/Patent Owner: Kis Silverbrook, Paul Lapston | | | | | |
| Application No./Patent No.: 09/575172 Filed/Issue Date: 23 May 2000 | | | | | |
| Entitled: Hand Drawing Capture Via Interface Surface | | | | | |
| Silverbrook Research Pty Ltd . a Private Proprietary Limited Comparing (Name of Assignee) (Type of Assignee, e.g., corporation, particularly comparing the c | ny nership, university, government agency, etc.) | | | | |
| states that it is: 1. the assignee of the entire right, title, and interest; or | | | | | |
| an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is | | | | | |
| in the patent application/patent identified above by virtue of either: | | | | | |
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| OR B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below: | | | | | |
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| , or for which a copy the | reur is adactied. | | | | |
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| Additional documents in the chain of title are listed on a supplemental sheet. | | | | | |
| Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) mu Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in MPEP 302.08] | | | | | |
| The undersigned (whose title is supplied below) is authorized to act on behalf of the assig | nee. | | | | |
| | January 29, 2008 | | | | |
| Signature | Date | | | | |
| Kia Silverbrook | +61-2-9818-6633 | | | | |
| Printed or Typed Name | Telephone Number | | | | |
| Managing Director | | | | | |

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time vail vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.